

**BROKEN ARROW CITY COUNCIL AGENDA
COUNCIL CHAMBERS
220 SOUTH FIRST STREET
BROKEN ARROW, OKLAHOMA 74012
January 7, 2008**

6:30 PM

- 1. Call to Order**
- 2. Invocation**
- 3. Roll Call**
- 4. Pledge of Allegiance to the Flag**
- 5. Consideration of Consent Agenda**
 - A. Approval of the regular meeting minutes of December 17, 2007
 - B. Approval of the special meeting minutes of December 18, 2007
 - C. Acceptance of minutes of a Planning Commission meeting held December 6, 2007
 - D. Approval of rejection of bids for Elm Place Widening (Houston to Kenosha) and specifically find that the interests of the citizens of Broken Arrow are served by rejection
 - E. Approval of bids received and award of the most advantageous to Midwest Vehicle Professionals, for a new modular ambulance for Station No. 6
 - F. Approval of the Claims List
- 6. Consideration of Items Removed from Consent Agenda**
- 7. Public Hearings, Appeals, Presentations, Recognitions, Awards and Oaths**
 - A. Presentation: Approval, authorization to execute, and presentation of a Proclamation commending Arrow Heights Baptist Church for providing invaluable service to the City of Broken Arrow by serving as a Red Cross Disaster Center during the December 2007 ice storm
- 8. Citizens' Opportunity to Address the Council (approximately 7:00 p.m.)**
- 9. General Council Business**
 - A. Consideration of nominations to the Broken Arrow Planning Commission, to serve the remainder of the unexpired term created by the resignation of Renate Caldwell, whose term expires May 1, 2009
 - B. Consideration and possible approval of nomination of Betty Gerber to the Convention and Visitors' Bureau, to fill a new position created by Ordinance No. 2921, which term will expire September 2010
 - C. Consideration, possible approval of and authorization to execute an Access Agreement between the City of Broken Arrow and Northeastern State University (NSU), allowing the City to have yard debris, which resulted from the December 2007 ice storm, hauled to a site on the NSU campus and allow the controlled burning of the debris at this site
 - D. Consideration, possible approval of and authorization for the Council to adopt the Ice Storm 2007 Debris Burn Permit, authorizing a special no-cost burn permit, subject to established criteria, to burn only tree and limb debris that resulted from the December 2007 ice storm

- E. Consideration, possible approval of and authorization to execute Resolution No. 497 - a Resolution of Necessity to Condemn Property located at 504 East New Orleans Street, Broken Arrow, Tulsa County, Oklahoma (New Orleans Street from Elm to 9th Project)
- F. Consideration, possible approval of and authorization to execute Resolution No. 498 - a resolution authorizing the City Attorney to agree to Entry of Judgment in the case of The City of Broken Arrow, Oklahoma v. Jim Skinner and Diana G. Skinner, et al., Wagoner County District Court Case Number CJ-2007-1287 and directing the City Attorney to prepare and file the necessary documents to effectuate settlement including a Journal Entry for the Court's approval pursuant to 51 O.S. § 158
- G. Consideration, possible approval of and authorization to execute Resolution No. 499 - a resolution extending the provisions of Resolution 496 which declared an emergency due to a significant winter storm and extensive power outages, ratification of activation of the City's Emergency Operations Center and emergency protocols, authorization to purchase materials and supplies and to enter into equipment leases and other necessary agreements, authorization to waive the provisions of Section 2-25 and 2-26 of the Broken Arrow Code and to enter into contracts for labor and services, authorization for debris removal, and directing the City Manager to carry out all applicable provisions
- H. Consideration, possible approval of and authorization to execute Resolution No. 500 - a resolution of the City Council of the City of Broken Arrow finding that blighted areas exist within the corporate boundaries; finding that the rehabilitation, conservation, redevelopment, or a combination thereof of such areas is necessary and in the interest of the public health, safety morals and welfare of the residents of such areas; determining that the exercise of the powers granted by the Oklahoma Urban Renewal Redevelopment Law, 11 O.S. 2001 §§ 38-101 - 38-123, is in the public interest

10. City Manager's Report

- A. None

11. Preview Ordinances

- A. None

12. Ordinances

- A. Ordinance No. 2931 - Zoning Ordinance - an ordinance to regulate and restrict land use, building use and the location of buildings designed for specific uses; to regulate the limit of height of buildings hereafter erected or altered; to regulate and determine the size and area of yards and other open spaces; to regulate the density of land use; to establish zoning districts based upon a Comprehensive Plan and to delimit such districts by reference to a map; to provide for off-street parking and loading; to provide for the application of zoning clearance permits and the issuance thereof by the City Manager or his authorized representative; to provide for enforcement and prescribing penalties for the violation of the provisions; to provide for amendments to this Ordinance; to provide for the Board of Adjustment to define its powers; to provide for severity; to provide for procedure before the Council and the Planning Commission; to provide for amendments, codification of this ordinance and repeal of conflicting ordinances, declaring an emergency, and to become effective February 1, 2008

- B. Ordinance No. 2944 - an ordinance amending the Broken Arrow Code Chapter 6, Articles I through VII, IX and XI creating a new Article XI Building Permit Fees and Charges Sections 6-300 through 6-304, amending the General Building Regulations, repealing the previously adopted 2003 edition of the International Building Code (IBC); adopting and amending the 2006 edition of the International Building Code including Appendix A, Appendix C, Appendix D, Appendix E, Appendix F, Appendix G, Appendix I, Appendix J; and Appendix K; repealing the previously adopted 2003 edition of the International Property Maintenance Code; adopting and amending the 2006 edition of the International Property Maintenance Code; repealing the previously adopted 2003 edition of the IBC; adopting and amending the 2006 edition of the International Residential Code including Appendix A, Appendix B, Appendix C, Appendix D, Appendix E, Appendix G, Appendix H, Appendix I, Appendix J, Appendix K; Appendix M, Appendix N, Appendix O, Appendix P, and Appendix Q; adopting and amending the 2005 edition of the National Electrical Code; repealing the previously adopted 2003 edition of the International Plumbing Code; adopting and amending the 2006 edition of the International Plumbing Code including Appendix B, Appendix C, Appendix D, Appendix E, Appendix F, Appendix G; repealing the previously adopted 2003 edition of the International Mechanical Code; adopting and amending the 2006 edition of the International Mechanical Code including Appendix A; and adopting and amending the 2006 edition of the International Fuel Gas Code including Appendix A, Appendix B, Appendix C, Appendix D; repealing all ordinances to the contrary and declaring an emergency
- C. Ordinance No. 2945 - an ordinance amending the Broken Arrow Code Chapter 10, Articles I, III, and IV by repealing the previously adopted 2003 edition of the NFPA 101 Life Safety Code; adopting and amending the 2006 edition of the NFPA 101 Life Safety Code; repealing the previously adopted 2003 edition of the International Fire Code; adopting and amending the 2006 edition of the International Fire Code, including Appendix B, Appendix C, Appendix D, Appendix E, Appendix F, Appendix G, and general regulations of explosives; repealing all ordinances to the contrary and declaring an emergency
- D. Ordinance No. 2946 - an ordinance amending Chapter 24, Water, Sewage and Disposal, Article VI. Water Service Charges and Rates, Section 24-608 Water Rates Established and Section 24-609 Special Contract Rates Established of the Broken Arrow Code; repealing all ordinances to the contrary and declaring an emergency

13. Remarks and Inquiries by Governing Body Members

- 14. Executive Session** for the purpose of confidential communications between the City Council, the City Manager, the Assistant City Manager and the City Attorney for the purpose of conferring on matters concerning the Steeplechase Farms and Amended Glen Eagles Subdivisions Stormwater Systems particularly as it relates to pending litigation in Kidd, et al. v. City of Broken Arrow, Wagoner County District Court Case Number CJ-2007-1229, and potential litigation regarding formation of assessment districts both under 25 O.S. § 307(B)(4), as well as the potential acquisition of property under 25 O.S. § 307(B)(3). In the opinion of the City Attorney, the Council is advised that disclosure will seriously impair the ability of the public body to process this pending and potential litigation in the public interest. After the conclusion of the confidential portion of the executive session, the Council will reconvene in open meeting, and the final decisions, if any, will be put to a vote.

15. Adjournment

NOTICE:

All cell phones and pagers must be turned OFF or operated SILENTLY during Council meetings.

Exhibits, petitions, pictures, etc., presented to the authority shall be received and deposited in case files to be kept at the Broken Arrow City Hall.

If you are a person with a disability and need some accommodation in order to participate in this meeting, please contact the City Clerk at 918-259-2400 Ext. 5418 to make arrangements.

POSTED this ____ day of _____, 2008, at _____ a.m./p.m.

City Clerk